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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation

LOK SABHA

The following Bill was introduced in Lok Sabha on the 4th November, 1986:—

BILL No. 117 OF 1986

A Bill further to amend the Citizenship Act, 1955.

BE it enacted by Parliament in the Thirty-seventh Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Citizenship (Amendment) Act, 1986.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of section 3.

57 of 1955.

2. In section 3 of the Citizenship Act, 1955 (hereinafter referred to as the principal Act), for sub-section (*1*), the following sub-section shall be substituted, namely:—

"(*1*) Except as provided in sub-section (*2*), every person born in India,—

(*a*) on or after the 26th day of January, 1950, but before the commencement of the Citizenship (Amendment) Act, 1986;

(*b*) on or after such commencement and either of whose parents is a citizen of India at the time of his birth,

shall be a citizen of India by birth.".

Amendment of section 5.

3. In section 5 of the principal Act, in sub-section (*1*),—

(*i*) in clause (*a*), for the words "six months", the words "five years" shall be substituted;

(*ii*) for clause (c), the following clause shall be substituted, namely:—

"(c) persons who are, or have been, married to citizens of India and are ordinarily resident in India and have been so resident for five years immediately before making an application for registration;";

(*iii*) in the *Explanation*, the words "or any of his grandparents," shall be omitted.

Amendment of Third Schedule.

4. In the Third Schedule to the principal Act,—

(*i*) in clause (*d*), for the words "seven years" and "four years", the words "twelve years" and "nine years" shall, respectively, be substituted;

(*ii*) in the proviso, in clause (*a*), for the words "eight years", the words "thirteen years" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

A large number of persons of Indian origin have entered the territory of India from Bangladesh, Sri Lanka and some African countries and they are residing in India. Government has taken a serious view of the entry of persons clandestinely into India and with a view to making the provisions of the Citizenship Act relating to the grant of Indian citizenship more stringent it is proposed *inter alia* to make the following changes in the Citizenship Act, 1955, namely:—

(*i*) under the existing provisions, every person born in India on or after the 26th day of January, 1950, shall be a citizen of India by birth. With a view to preventing automatic acquisition of citizenship of India by birth, it is proposed to amend the Act to provide that every person born in India after the commencement of the amending Act will become a citizen of India by birth only if at the time of his birth either of his parents is a citizen of India;

(*ii*) under the Act, certain categories of persons may apply for citizenship by registration. One such category is those persons of Indian origin who are ordinarily resident in India and have been so resident for six months immediately before making an application for registration. Another category is women who are, or have been, married to citizens of India. These provisions are proposed to be made more stringent by providing that a person would be eligible for citizenship by registration only if he is ordinarily resident in India and have been so resident for five years immediately before making an application for registration. It is also proposed to change the word "women" by "persons" in the latter category so that the eligibility of citizenship through marriage to citizens of India now admissible to women only is extended to men also.

(*iii*) under the Act, a person who is not a citizen of a Commonwealth country referred to in the First Schedule to the Act may apply for the grant of a certificate of naturalization if he has resided in India for the period of at least five years. It is proposed to increase this period to ten years.

2. The Bill seeks to achieve the aforesaid objects.

NEW DELHI; BUTA SINGH.

The 16th October, 1986.

SUBHASH C. KASHYAP,
Secretary-General.

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